

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

**LILLIE M. BRAKE,**

**Plaintiff,**

**V.**

**AMERICA'S RECOVERY SOLUTIONS,  
LLC,**

**Defendant.**

**CIVIL ACTION NO. 5:12-CV-278 (MTT)**

## ORDER

The Plaintiff moved for default judgment against Defendant America's Recovery Solutions on March 23, 2013. (Doc. 23). On April 12, the Court expressed two concerns with the Plaintiff's Motion for Default Judgment. (Doc. 24). Specifically, the Court was concerned with the complaint's failure to allege compliance with the notice provisions of O.C.G.A. § 10-1-399(b). See (Doc. 12). Further, the Court questioned whether judgment could be entered for "actual/general damages" without a hearing. The Court requested the Plaintiff notify it of her position on these issues.

The Plaintiff has failed to contact the Court regarding her position on these issues. Thus, the Court assumes the Plaintiff has abandoned her Motion for Default Judgment. Accordingly, the Motion is **DENIED as MOOT**.

**SO ORDERED**, this 11th day of July, 2013.

S/ Marc T. Treadwell  
MARC T. TREADWELL, JUDGE  
UNITED STATES DISTRICT COURT